

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Michael J. McDowall,
Plaintiff

v.

Case No. 1:14-cv-780

Cole Distel, et al.,
Defendants

ORDER

This matter is before the Court on the Magistrate Judge's Report and Recommendation filed August 31, 2015 (Doc. 68).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). As of the date of this Order, no objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, we find the Magistrate Judge's Report and Recommendation correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. Plaintiff's motions to amend his complaint by adding claims or parties (Docs. 50, 52, 58, & 65) are **DENIED**. Plaintiff's fourth motion to amend his complaint (Doc. 63) is **GRANTED** only to the limited extent of amending the date of the Distel pepper-spraying incident to September 12, 2014, but in all other respects it is **DENIED**. Service of the construed fourth amended complaint (Doc. 63) must be made in accordance with the instructions set forth in the Memorandum Order filed August 31, 2015. Plaintiff's two miscellaneous motions (Docs. 57 & 59) are **DENIED**.

Date: September 29, 2015

s/Sandra S. Beckwith
Sandra S. Beckwith, Senior Judge
United States District Court